

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between	:	
	:	
Larry and Bonnie R. Yanick	:	
	:	
Claimants	:	CASE #91-03763
	:	AWARD
	:	
vs.	:	
	:	
Reginald Scantlebury	:	
	:	
Respondent	:	

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on December 2, 1991, Claimants Larry and Bonnie R. Yanick who appeared Pro Se, alleged that during October and November 1990, they spoke with Respondent Reginald Scantlebury, their broker at Global America, Inc. to preserve the value in their account and they instructed Respondent to put a stop-loss order on their positions. Claimants further alleged that Respondent advised them it would not be necessary as he would watch their account whereby he would sell if prices came down. Claimants contended that in January 1991, when they called to check on their stocks, they were told that Respondent had left Global America, Inc., at which time, Claimants stocks were down in value and had not been sold as instructed.

Respondent, Reginald Scantlebury who appeared Pro Se, maintained that Claimants Larry and Bonnie R. Yanick did not instruct him to put in a stop-loss order and that he informed them that on O.T.C. issues you cannot put in a stop-loss order. Respondent further maintained that Claimants never gave him a direct sell order; since their account was not discretionary in that Respondent could not sell or buy anything without Claimants' instructions.

RELIEF REQUESTED

Claimant, Larry and Bonnie R. Yanick requested \$8,600.00 in actual damages plus reimbursement of the NASD filing fee.

Respondent, Reginald Scantlebury requested the claim be denied.

AWARD

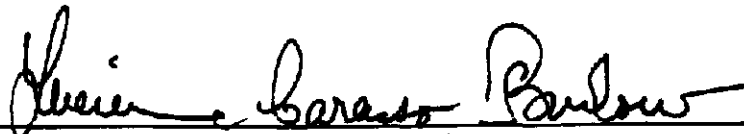
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Lucienne Carasso Bulow, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on December 23, 1991 and by the Respondent on June 5, 1992.

And, the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. The claim of Claimants Larry and Bonnie R. Yanick against Respondent Reginald Scantlebury is dismissed.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimants Larry and Bonnie R. Yanick shall be retained by the NASD, Inc.

AFFIRMATION

I, **LUCIENNE CARASSO BULOW**, do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.



Signature of Arbitrator

Date of Decision: **November 4, 1992**